

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIAM HOWE, et al,)	CASE NO.: 5:06 CV 2779
)	
Plaintiffs,)	
)	
vs.)	JUDGE ADAMS
)	
CITY OF AKRON,)	
)	
Defendant.)	

PLAINTIFFS' MOTION FOR PERMANENT INJUNCTION

On August 15, 2012, the City posted notices of promotional examinations for the ranks of Lieutenant and District Chief. (Mot. Exh. 1, 2). These promotional examinations are to be administered in late September and October, 2012. Plaintiffs respectfully seek a permanent injunction to enjoin the City from implementing a process or promotional examinations, where, as here, the make-whole remedies in this case (which generally include oversight of a promotional process less likely to have adverse impact) have yet to be decided.

1. Background

In December, 2008, the jury rendered unanimous verdicts in favor of the Plaintiffs' disparate impact claims on a testing and promotional process begun in 2004. The jury specifically found disparate-impact age and race discrimination regarding the promotional process used by the City to promote to the ranks of Lieutenant and Captain. This Court later rendered its judgments in favor of the Plaintiffs on their Title VII disparate impact claims relating to those same promotional examinations and process. In so doing, both this Court and